

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
BOARD OF ZONING ADJUSTMENT



Application No. 13035 of Micanopy Investment Corporation, pursuant to Paragraph 8207.11 of the Zoning Regulations, for variances from the lot area and lot width requirements (Sub-section 3301.1) to construct a row dwelling in an R-4 District at the premises 1425 E Street, N.E., (Square 1053, Lot 70).

HEARING DATE: September 19, 1979

DECISION DATE: September 19, 1979 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located on the south side of E Street, N.E. between 15th Street and Tennessee Avenue and is known as 1425 E Street, N.E. It is in an R-4 District.

2. The subject site is fifteen feet wide and ninety feet deep. It is unimproved. The dwelling that had existed on the site was demolished many years ago.

3. The demolished dwelling was one of four adjacent row buildings that were constructed together as a unit. The party walls still exist. The front and rear walls have been demolished.

4. The applicant proposes to construct a row dwelling on the site. It will have the same depth as the other three buildings comprising the unit.

5. The applicant seeks a lot area variance of 450 square feet and a lot width variance of three feet.

6. There was no opposition to the application.

7. Advisory Neighborhood Commission 6A made no recommendation on the application.

8. The Capitol Hill Restoration Society by letter dated September 17, 1979, recommended that the application be granted. It reported that the builder is limited by the size of the physical site and the two houses abutting the property. It further reported that two of the neighbors were in favor of a single family house on the property and that other neighbors have no objection to the proposed construction.


CONCLUSIONS OF LAW:

Based on the record the Board concludes that the applicant is seeking area variances, the granting of which requires a showing of a practical difficulty stemming from the property itself. The applicant is limited as to what can be done with the site. He is filling in a site formerly occupied by one of a four unit row dwelling development. He must use the existing party walls. The property cannot be put to another use. The Board concludes that the practical difficulty is inherent in the site. The Board further concludes that the variances can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan. Accordingly, it is ORDERED that the application is GRANTED.

VOTE: 3-0 (Walter B. Lewis, Charles R. Norris and William F. McIntosh to grant, Chloethiel Woodard Smith and Leonard L. McCants not present, not voting)

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: \_\_\_\_\_

  
STEVEN E. SHER  
Executive Director

FINAL DATE OF ORDER: 13 NOV 1979

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OR THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLES WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.